

Message Text

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PAGE 01 STATE 059180

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FM SECSTATE WASHDC

TO TWO ADDEES

UNCLAS STATE 059180

RE: BATTERY STEAMSHIP CORPORATION V. REPUBLIC
OF VIETNAM, N. D. CAL., NO. C-72-1440 RFP

DEAR MR. EYTAN:

IN FURTHER RESPONSE TO YOUR LETTER OF MARCH 14, 1973,
THE OFFICE OF THE LEGAL ADVISER WISHES TO REQUEST THAT A
POSTPONEMENT IN THESE PROCEEDINGS BE OBTAINED IN ORDER
THAT WE MAY CONSULT WITH COUNSEL FOR THE PLAINTIFF AND
THE DEFENDANT TO DETERMINE IF AN AMICUS BRIEF SHOULD
BE FILED BY THE UNITED STATES ATTORNEY CONCERNING THE
LATEST PLEADINGS BY THE PLAINTIFF WHICH ASSERT IN
PERSONAM JURISDICTION AGAINST THE REPUBLIC OF VIETNAM.
WE HAVE CONSIDERED THE DOCUMENTS AND LETTER WHICH YOU
SUBMITTED, BUT WE DO NOT BELIEVE THAT WE HAVE THE FACTS
AND ARGUMENTS AT HAND AT THIS TIME TO MAKE THE
DELIBERATE DECISION WHICH THIS CASE MERITS.

WE THINK THAT A POSTPONEMENT OF 30 DAYS WOULD BE
REQUIRED THOUGH 45 DAYS WOULD BE DESIRABLE TO DETERMINE
IF AN AMICUS SHOULD BE FILED. IF AN AMICUS IS WARRANTED,
WE WOULD THEN REQUEST A FURTHER EXTENSION OF 30 DAYS
TO SUBMIT SUCH A BRIEF.

PLEASE NOTIFY US IF THE COURT ACCEPTS THIS REQUEST.

SINCERELY YOURS,

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JOHN A. BOYD
ATTORNEY- ADVISER
OFFICE OF THE LEGAL ADVISER

RUSH

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*** Current Handling Restrictions *** n/a

*** Current Classification *** UNCLASSIFIED

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